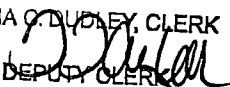


MAR 16 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Action No. 3:14-cr-00025
)	(Civil Action No. 3:16-cv-80968)
)	(Civil Action No. 3:16-cv-81220)
v.)	
)	<u>FINAL ORDER</u>
)	
RICHARD J. KOONCE III,)	
)	
Defendant.)	By: Hon. Glen E. Conrad
)	Chief United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED**:

1. That the government's motion to dismiss (ECF No. 332) is **GRANTED**;
2. Koonce's motion pursuant to 28 U.S.C. § 2255, Civil Action No. 3:16-cv-80968, (ECF No. 311) is **DISMISSED**;
3. This action shall be **STRICKEN** from the active docket of this court;
4. Finding that Koonce has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**;
5. Koonce's motions to appoint counsel (ECF No. 352, 360) are **DENIED** as moot; and
6. Koonce's second motion pursuant to 28 U.S.C. § 2255, Civil Action No. 3:16-cv-81220, (ECF No. 354) is **DISMISSED** without prejudice as successive; a certificate of appealability is **DENIED**; and the action shall be **STRICKEN** from the active docket of this court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 16th day of March, 2017.


Chief United States District Judge